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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

IRMA EUBANKS,

Debtor.

ACCO ENGINEERED SYSTEMS, INC.,

Garnishee.

CASE NO. 2:24-MC-00221-KJM-SCR

**STIPULATION RE CONTINUING
GARNISHMENT; AND ORDER THEREON**

Criminal Case No.: 2:14-CR-00076-01-JAM

The United States of America and debtor Irma Eubanks (collectively the Parties) hereby stipulate to the final resolution of the United States' pending continuing garnishment action as follows:

1. The Parties agree to the entry of an order approving this stipulation by the magistrate judge.

2. On June 6, 2023, the United States filed an Application for Writ of Continuing Garnishment of the non-exempt disposable earnings of Irma Eubanks. ECF No. 1.

3. The Clerk of Court issued the requested writ on June 18, 2023. ECF No. 6.

4. The United States seeks to garnish \$135,452.24 to satisfy Irma Eubanks' outstanding restitution balance. *Id.*

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5. The Parties have agreed to a resolution of this garnishment action and request approval of this stipulation.

6. Irma Eubanks waives any right to elect an exemption. *See* 18 U.S.C. § 3613(a)(1), incorporating IRS exemptions found at 26 U.S.C. § 6334(a)(1)-(8), (10), and (12)

7. Irma Eubanks waives her right to a hearing. *See* 28 U.S.C. § 3205.

8. Irma Eubanks has been told and understands that entering into this voluntary Stipulated Garnishment will not remove her from the Treasury Offset Program

9. To effectuate their settlement, the Parties request that the Court enter an order as follows:

A. That garnishee ACCO Engineered Systems, Inc., shall withhold \$125.00 of Irma Eubanks' nonexempt disposable earnings per pay period, beginning with the next pay period after receipt of an order approving this stipulation;

B. That each party shall bear their own costs; and

C. That the Court shall retain jurisdiction to resolve matters through ancillary proceedings in the case, if necessary.

Respectfully submitted,

FOR THE UNITED STATES:

PHILLIP A. TALBERT
United States Attorney

Dated: 8-14-2024

By: /s/Eric Chang
ERIC CHANG
Assistant United States Attorney

FOR THE DEFENDANT:

Dated: 8-8-2024

By: /s/Irma Eubanks
IRMA EUBANKS, In Pro Per
Debtor

O R D E R

The Court, having reviewed the court files and the Parties' Stipulation re Garnishment (the Stipulation), and good cause appearing therefrom, hereby APPROVES the Stipulation. Accordingly, IT IS ORDERED that:

A. Garnishee ACCO Engineered Systems, Inc., is ordered to withhold \$125.00 of Irma Eubanks' nonexempt disposable earnings per pay period, beginning with the next pay period after receipt of an order approving this stipulation. Payment shall be made in the form of a check, money order, or company draft, made payable to the "Clerk of the Court," and delivered to:

Office of the Clerk
501 I St., Rm. 4-200
Sacramento, CA 95814

The criminal docket number (2:14-CR-00076-01-JAM) shall be stated on the payment instrument;

B. Each party shall bear their own costs; and

C. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the case, if necessary.

IT IS SO ORDERED.

Dated: August 15, 2024



THE HONORABLE SEAN C. RIORDAN
UNITED STATES MAGISTRATE JUDGE